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PATENT

Attorney Docket No.: 285-113 CON

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(s): Todd M. Boyce et al. EXAMINER: B. Pellegrino  
SERIAL NO: 09/745,643 GROUP: 3738  
FILED: December 22, 2000 DATE: January 3, 2002  
FOR: KEYED INTERVERTEBRAL DOWEL DOCKET: 285-113 CON

Assistant Commissioner for Patents  
Washington, D.C. 20231

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**RESPONSE**

Dear Sir:

In response to the Office Action of the United States Patent and Trademark Office mailed August 3, 2001, Applicants elect to prosecute Species VII, Figs. 17-20. The claims readable thereon are Claims 1-9 and 18-24.

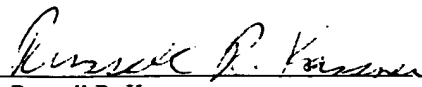
**REMARKS**

The present application has been reviewed in light of the Office Action of the United States Patent and Trademark Office mailed August 3, 2001. In the Office Action the Applicant was required to elect one of twenty distinct species of the invention. By the present response, Applicants have provisionally elected to prosecute species VII, i.e., Figs.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on January 3, 2002.

Dated: January 3, 2002

  
Russell R. Kassner


17-20. The claims readable thereon are Claims 1-9 and 18-24. Applicants respectfully reserve the right to file further divisional applications directed to the remaining species.

It is respectfully submitted that at least independent Claim 1 is generic to the elected species.

It is also respectfully submitted that independent Claim 1 is generic to species I, II, VI through XIV and XVI through XVII. Consideration of these specific embodiments with respect to independent Claim 1 is also respectfully requested.

In view of the foregoing remarks, early and favorable consideration of the claims of the application is respectfully requested.

Respectfully submitted,



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